

Kansas Department of Agriculture
Division of Food Safety and Lodging
1320 Research Park Drive, Manhattan, KS 66502
(office) 785-564-6767 (fax) 785-564-6779

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Insp Date: 7/29/2015 **Business ID:** 97209FE
Business: THAI ORCHID RESTAURANT

6504 MARTWAY
MISSION, KS 66202

Inspection: 89000089
Store ID:
Phone: 9133842800
Inspector: KDA89
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/29/15	12:15 PM	05:45 PM	5:30	0:10	5:40	0	
Total:			5:30	0:10	5:40	0	

FOOD ESTABLISHMENT PROFILE

Physical Address 6504 MARTWAY City MISSION
Zip 66202

Owner _____ License Type FE

Risk Category RAC# 05 High Risk RAC/Size Confirmed ☐ Size Range Under 5,000 sq feet

Updated Risk Category _____ Updated Size Range _____

Insp. Notification Print Lic. Insp. No

Priority(P) Violations 9 Priority foundation(Pf) Violations 4

Certified Manager on Staff ☐ Address Verified ☐ Actual Sq. Ft. 0

Certified Manager Present ☐

INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT www.agriculture.ks.gov, EMAIL fsl@kda.ks.gov, OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Demonstration of Knowledge		Y	N	O	A	C	R
1. Certification by accredited program, compliance with Code, or correct responses.		p	..	..	..	..	..
Employee Health		Y	N	O	A	C	R
2. Management awareness; policy present.		p	..	..	..	..	..
3. Proper use of reporting, restriction and exclusion.		p	..	..	..	..	..
Good Hygienic Practices		Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use		p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.		p	..	..	..	..	..
Preventing Contamination by Hands		Y	N	O	A	C	R
6. Hands clean and properly washed.		..	p	..	..	p	..
Fail Notes	2-301.14(E) <i>P - Wash Hands (Soiled Utensils) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and after handling soiled EQUIPMENT or UTENSILS [Employee worked with dirty dishes and then worked with clean dishes without washing hands first. COS. Employee educated, washed hands.]</i>						
7. No bare hand contact with RTE foods or approved alternate method properly followed.		p	..	..	..	..	..
8. Adequate handwashing facilities supplied and accessible.		..	p	..	..	p	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>							
Fail Notes	5-205.11(A) <i>Pf - A HANDWASHING SINK shall be maintained so that it is accessible at all times for EMPLOYEE use. [At back handsink, several stacks of make table pans sitting in handsink. COS. Make table pans moved, staff educated.]</i>						
Approved Source		Y	N	O	A	C	R
9. Food obtained from approved source.		p	..	..	..	..	..
10. Food received at proper temperature.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>							
11. Food in good condition, safe and unadulterated.		p	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.		..	..	..	p	..	..
Protection from Contamination		Y	N	O	A	C	R
13. Food separated and protected.		p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.		p	..	..	..	..	..
15. Proper disposition of returned, previously served, reconditioned and unsafe food.		..	..	..	p	..	..
Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
16. Proper cooking time and temperatures.		..	..	p	..	..	..
17. Proper reheating procedures for hot holding.		..	..	p	..	..	..
18. Proper cooling time and temperatures.		..	..	p	..	..	..
19. Proper hot holding temperatures.		..	p	..	..	p	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y N O A C R
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Fail Notes	3-501.16(A)(1)	<i>P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above. [In kitchen, on shelving near grill- cooked rice at 114.3 F, cooked noodles at 75.0 F. COS. All product discarded.]</i>
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20. Proper cold holding temperatures. .. p p ..

This item has Notes. See Footnote 3 at end of questionnaire.

Fail Notes	3-501.16(A)(2)	<i>P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less. [Raw shell eggs @ 78.6 F (stored room temp near handsink), noodles (stored room temp near grill) at 75.0 F, sprouts (stored at room temp on make table top @ 74.7 F.]</i>
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21. Proper date marking and disposition. .. p p ..

Fail Notes	3-501.18(A)(2)	<i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1. [In kitchen area, several containers of food under make table had no dates as to when opened. COS. Make table not working, all items discarded.]</i>
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22. Time as a public health control: procedures and record. p

Consumer Advisory	Y N O A C R
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23. Consumer advisory provided for raw or undercooked foods. p

Highly Susceptible Populations	Y N O A C R
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24. Pasteurized foods used; prohibited foods not offered. p

Chemical	Y N O A C R
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25. Food additives: approved and properly used. p

26. Toxic substances properly identified, stored and used. .. p p ..

Fail Notes	7-102.11	<i>Pf - Common Name (Working Containers) Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material. [Container of blue liquid and container of pink liquid in large dispenser pump bottles, with no labels, stored under prep sink in kitchen. At bar area, working container of blue liquid (determined to be window cleaner) has no label. COS. Employee labeled items.]</i>
	7-201.11(B)	<i>P - Chemical Storage (Not Above Food, etc.) POISONOUS OR TOXIC MATERIALS shall be stored so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES. [Window cleaner and isopropyl alcohol stored over chopsticks in side storage area. COS. Chopsticks moved to alternate shelving.]</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical			Y	N	O	A	C	R
Fail Notes	7-207.11(B)	<i>P - Except for medicines that are stored or displayed for retail sale, Medicines that are in a FOOD ESTABLISHMENT for the EMPLOYEES' use shall be labeled as specified under § 7-101.11 and located to prevent the contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.</i> <i>[Container of saline wound flush solution stored over handsink next to spices. Containers of burn creams/ointment sitting over side prep area. COS. All medications moved.]</i>						
Conformance with Approved Procedures			Y	N	O	A	C	R
27. Compliance with variance, specialized process and HACCP plan.			..	..	..	p	..	..
GOOD RETAIL PRACTICES								
Safe Food and Water			Y	N	O	A	C	R
28. Pasteurized eggs used where required.			..	..	..	p	..	..
29. Water and ice from approved source.			p	..	..	..	..	..
30. Variance obtained for specialized processing methods.			..	..	..	p	..	..
Food Temperature Control			Y	N	O	A	C	R
31. Proper cooling methods used; adequate equipment for temperature control.			..	p	..	..	..	..
Fail Notes	4-301.11	<i>Pf - Temperature Capacity - EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3.</i> <i>[In kitchen, grill make table not working (since 7/28/15) and Kenmore freezer not working (since 7/28/15). New make table on order for Monday. Area behind freezer cleaned and freezer started working.]</i>						
32. Plant food properly cooked for hot holding.			p	..	..	..	..	..
33. Approved thawing methods used.			..	..	p	..	..	..
34. Thermometers provided and accurate.			p	..	..	..	..	..
Food Identification			Y	N	O	A	C	R
35. Food properly labeled; original container.			p	..	..	..	..	..
Prevention of Food Contamination			Y	N	O	A	C	R
36. Insects, rodents and animals not present.			..	p	..	..	..	..
Fail Notes	6-501.111(A)	<i>P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests.</i> <i>[5 live roaches found in kitchen area at grill make table in between door panels.]</i>						
	6-501.112	<i>Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests.</i> <i>[Bait station under dishmachine has 15 dead roaches attached, needs removed. 3 dead roaches under back hand sink area, 1 dead roach at bar area.]</i>						
37. Contamination prevented during food preparation, storage and display.			..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination	Y N O A C R
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Fail Notes	3-305.11(A)(1)	<p><i>Food storage - Except as specified in ¶¶ (B) and (C) of 3-305.11, FOOD shall be protected from contamination by storing the FOOD: in a clean, dry location; where it is not exposed to splash, dust, or other contamination; and at least 15 cm (6 inches) above the floor.</i></p> <p><i>[In side storage area, condensed milk being stored on floor, boxed bagged rice stored on the floor. In back hall area, container of vinegar stored on floor.]</i></p>
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38. Personal cleanliness.	p
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39. Wiping cloths: properly used and stored.	.. p
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Fail Notes	3-304.14(B)(1)	<p><i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration.</i></p> <p><i>[Several damp wiping cloths in kitchen, not stored in sanitizer solution. COS. Employee educated. Informational handouts given.]</i></p>
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40. Washing fruits and vegetables. p
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Proper Use of Utensils	Y N O A C R
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41. In-use utensils: properly stored.	.. p
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Fail Notes	3-304.12(E)	<p><i>In-use utensil storage (non-PHF/TCS-clean, protected location) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS used with FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be stored in a clean, protected location.</i></p> <p><i>[In kitchen next to wok station, there is a knife stored in between shelving and wall.]</i></p>
	3-304.12(F)	<p><i>In-use utensil storage (135°F water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in a container of water if the water is maintained at a temperature of at least 57°C (135°F) and the container is cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues.</i></p> <p><i>[In kitchen area, rice scoop stored in standing water. COS. Employee educated, water discarded.]</i></p>

42. Utensils, equipment and linens: properly stored, dried and handled.	p
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43. Single-use and single-service articles: properly used.	p
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44. Gloves used properly.	p
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Utensils, Equipment and Vending	Y N O A C R
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45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items	p
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45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items	p
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46. Warewashing facilities: installed, maintained, and used; test strips.	.. p
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This item has Notes. See Footnote 4 at end of questionnaire.

Fail Notes	4-302.14	<p><i>Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided.</i></p> <p><i>[There are no chlorine test strips at dishmachine.]</i></p>
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47. Non-food contact surfaces clean.	p
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Physical Facilities	Y N O A C R
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48. Hot and cold water available; adequate pressure.	p
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49. Plumbing installed; proper backflow devices.	.. p
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities

Y N O A C R

Fail Notes | 5-203.13(A) *At least 1 service sink or 1 curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.*
[There is no service or utility sink in the establishment for the disposal of mop or wastewater.]

50. Sewage and waste water properly disposed.

.. .. .

Fail Notes | 5-402.11 *P - Except for floor drains that originate in refrigerated spaces that are constructed as an integral part of the building, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD is placed.*
[2 vat food prep sink is directly plumbed, employee stated they wash vegetables in this sink.]

51. Toilet facilities: properly constructed, supplied and cleaned.

p

52. Garbage and refuse properly disposed; facilities maintained.

p

53. Physical facilities installed, maintained and clean.

.. p

Fail Notes | 6-501.12(A) *PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean.*
[The following areas need to be cleaned: Behind black deep freezer in NE corner of kitchen, along wall behind hand sink and fry station. Behind and sides of fry station, fryer and freezer, under 3-vat and 2-vat handsink. Walls/ceiling and vent covers need cleaned, under all make tables and equipment in kitchen.]

54. Adequate ventilation and lighting; designated areas used.

p

Administrative/Other

Y N O A C R

55. Other violations

.. p

Fail Notes | 8-404.11 *P - A LICENSEE shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health. A LICENSEE need not discontinue operations in an area of an establishment that is unaffected by the IMMINENT HEALTH HAZARD.*
[Facility is voluntarily closing due to live roach activity and lack of adequate refrigeration.]

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #10</i>	<i>Did You Wash 'Em Sign / Sticker</i>
	<i>Education Title #22</i>	<i>Focus On Food Safety Manual (on the Website)</i>
	<i>Education Title #27</i>	<i>Hot and Cold Holding</i>
	<i>Education Title #28</i>	<i>Ice Bath Cooling</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Hot water at back handsink- 106.2 F.

Footnote 2

Notes:

Tofu received while on site at 43.0 F.

Footnote 3

Notes:

Frigidaire- 40.8 F- cut cabbage.

Footnote 4

Notes:

Dishmachine at 50 ppm chlorine.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 7/29/2015 **Business ID:** 97209FE
Business: THAI ORCHID RESTAURANT

6504 MARTWAY
MISSION, KS 66202

Inspection: 89000089
Store ID:
Phone: 9133842800
Inspector: KDA89
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/29/15	12:15 PM	05:45 PM	5:30	0:10	5:40	0	
Total:			5:30	0:10	5:40	0	

ACTIONS

Number of products Voluntarily Destroyed 7

VOLUNTARY DESTRUCTION REPORT

I have this day voluntarily destroyed, or caused to be destroyed, the merchandise described below. Said merchandise found in my possession was unfit for human consumption, misbranded, or otherwise unlawful. Destruction and final disposition of said merchandise has been done in a manner approved by the above named Inspector, representative of the Kansas Department of Agriculture.

I hereby release the Kansas Department of Agriculture, and its members, agents, and representatives from any and all liability.

1. Product Raw shell eggs Qty 10 Units lbs Value \$ 30.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Noodles (cooked) Qty 10 Units lbs Value \$ 10.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Rice (cooked) Qty 2 Units lbs Value \$ 2.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

4. Product Sprouts Qty 1 Units lbs Value \$ 1.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

5. Product Lettuce Qty 2 Units lbs Value \$ 4.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

6. Product Cabbage Qty 3 Units lbs Value \$ 3.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

7. Product Carrots Qty 1 Units lbs Value \$ 2.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY CLOSURE STATEMENT

Insp Date: 7/29/2015 **Business ID:** 97209FE
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MISSION, KS 66202

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VOLUNTARY CLOSURE STATEMENT

BECAUSE OF DEFICIENCIES NOTED ON THE ATTACHED KANSAS DEPARTMENT OF AGRICULTURE INSPECTION REPORT, I VOLUNTARILY AGREE TO CLOSE THIS ESTABLISHMENT AND CEASE OPERATION UNTIL NEEDED CORRECTIONS HAVE BEEN COMPLETED. I AGREE NOT TO REOPEN THIS ESTABLISHMENT PRIOR TO RE-INSPECTION BY THE FOOD, DRUG, AND LODGING SURVEYOR.

Reinspection is currently scheduled for _____

Inspection Report Number 89000089 Inspection Report Date 07/29/15

Establishment Name THAI ORCHID RESTAURANT

Physical Address 6504 MARTWAY City MISSION

Zip 66202

Additional Notes
Facility is voluntarily closing due to live roach activity and lack of adequate refrigeration.
Facility is not to re-open until a passing re-inspection is conducted.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 7/29/2015 **Business ID:** 97209FE
Business: THAI ORCHID RESTAURANT

6504 MARTWAY
MISSION, KS 66202

Inspection: 89000089
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NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled _____

Inspection Report Number 89000089

Inspection Report Date 07/29/15

Establishment Name THAI ORCHID RESTAURANT

Physical Address 6504 MARTWAY City MISSION

Zip 66202

Additional Notes
and Instructions

Follow up inspection to be determined following a passing re-opening inspection.